

**Commonwealth of Massachusetts
Executive Office of Health and Human Services**

NOTICE OF PUBLIC HEARING

Coronavirus Update: Due to the coronavirus emergency, EOHHS is holding public hearings remotely. All public hearings will occur on the advertised dates and times. Details and instructions for participating and testifying remotely (such as through phone line or online connection) at the remote public hearings will be published online at www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings and are included in this notice below. If you plan to testify at the remote hearing, EOHHS strongly encourages you to register in advance; see below for instructions. EOHHS encourages you to submit written testimony in addition to, or instead of, providing testimony at the hearing; see below for instructions. Additionally, requests for copies of proposed regulations will not be accepted in person. Details for obtaining copies of proposed regulations are set forth below.

To join the hearing online, go to <https://statema.webex.com>, and enter meeting ID 644 151 469. To join the hearing by phone, call (866) 692-3580, and enter meeting ID 644 151 469# when prompted.

Pursuant to the authority of M.G.L. c. 118E and in accordance with M.G.L. c. 30A, a public hearing will be held on Friday, February 26, 2021, at 9:30 a.m. relative to the adoption of:

101 CMR 413.00: Payments for Youth Intermediate-term Stabilization Services

M.G.L. Chapter 118E, Section 13D, requires EOHHS to establish and biennially update rates to be paid by governmental units to providers of social service programs. In accordance with this requirement, the rates for youth intermediate-term stabilization services that are specific to congregate care (formerly “Caring Together”) services, youth residential services, and recovery, engagement, and alliance services are being updated. The rates for congregate care services are being updated and include an increase by a cost adjustment factor (CAF) of 0.38%. The CAF was determined by using baseline and prospective Massachusetts Economic Indicator data from IHS Economics – Spring 2020 Forecast, optimistic scenario data. The CAF reflects the period between the rates’ base period (FY2022 Quarter 4) and the prospective period (July 1, 2021, through June 30, 2023). These congregate care rates more clearly define the programs desired for purchase by the Department of Children and Families and the Department of Mental Health and include additional clinical care and more comprehensive staffing supports applicable to the services. The rates for youth residential services and recovery, engagement, and alliance services are being updated and include an increase by a CAF of 2.00%. The CAF was determined by using baseline and prospective Massachusetts Economic Indicator data from IHS Economics – Fall 2020 Forecast, optimistic scenario data. The CAF reflects the period between the rates’ base period (FY2021 Quarter 4) and the prospective period (July 1, 2021, through



June 30, 2023). Additionally, the youth residential rates have been updated to incorporate increased staffing pattern requirements issued by the Department of Public Health. Lastly, as part of the workforce initiative, rates for staff positions for both youth residential services and recovery, engagement, and alliance services have been benchmarked to the Massachusetts Bureau of Labor Statistics (BLS) median wages for 2017/2018 and the tax and fringe rate has been benchmarked to 22.40%.

The proposed amended regulation contains rates effective for dates of service on or after July 1, 2021. There is no fiscal impact on cities and towns.

Individuals who notify EOHHS of their intent to testify at the hearing will be afforded an earlier opportunity to speak. Speakers are strongly encouraged to notify EOHHS of their intention to testify at the hearing by registering online at www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings. Individuals may also submit written testimony by emailing ehs-regulations@state.ma.us. Please submit electronic testimony as an attached Word document or as text within the body of the email with the name of the regulation in the subject line. All submissions must include the sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit testimony by email should mail written testimony to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Written testimony must be submitted by 5:00 p.m. on Friday, February 26, 2021.

All persons desiring to review the current draft of the proposed actions may go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171. To view or download related supporting materials, go to www.mass.gov/service-details/proposed-regulations-supporting-materials.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by email at ADAAccommodations@state.ma.us or by phone at (617) 847-3468 (TTY: (617) 847-3788 for people who are deaf, hard of hearing, or speech disabled). Please allow two weeks to schedule sign language interpreters.

EOHHS may adopt a revised version of the proposed actions taking into account relevant comments and any other practical alternatives that come to its attention.

In case of inclement weather or other emergency, hearing cancellation announcements will be posted on the MassHealth website at www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings.

February 5, 2021